

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAMON CEPEDA,

Plaintiff,

-against-

DEPUTY SUPERINTENDENT LOUDEN,
V.C.B.C.; DEPUTY SUPERINTENDENT
JONES, V.C.B.C.; DEPUTY
SUPERINTENDENT CARTER, V.C.B.C.;
CAPTAIN WALDEN, V.C.B.C.; and
TANISHA MILLS,

Defendants.

21 Civ. 4205 (ER)

ORDER

EDGARDO RAMOS, United States District Judge:

Ramon Cepeda brings this *pro se* action under 42 U.S.C. § 1983, alleging that the Defendants violated his Eighth and Fourteenth Amendment rights. Deputy Superintendents Loudon, Carter, and Jones waived service on October 27, 2021. Doc. 13.

On March 9, 2022, the Court directed the Clerk of Court to, among other things, (1) issue a summons for Captain Walden and deliver all documents necessary to effect service on Walden to the U.S. Marshals Service; and (2) substitute Warden Tanisha Mills for Linda Griffin. Doc. 20. The Court also requested that Mills waive service of summons. *Id.*

Service was attempted on Walden on May 26, 2022, however it was unsuccessful. Cepeda has not requested an extension of time for service as to Walden. On June 24, 2022, the Court instructed Cepeda to submit a status report to the Court regarding the status of service on Walden no later than July 8, 2022. Doc. 23. To date, Cepeda has not filed a status report.

Cepeda is hereby directed to submit a status report regarding the status of service on Walden no later than **November 7, 2022**. Failure to comply with this Court order will result in sanctions, including dismissal for failure to prosecute under Federal Rule of Civil Procedure

41(b).

The Clerk of Court is directed to mail a copy of this order to Cepeda and note service on the docket.

SO ORDERED.

Dated: October 7, 2022
New York, New York



EDGARDO RAMOS
United States District Judge